

From: [Canellas, Bart](#)
To: [Benton, Marvin](#)
Cc: [Nixon, Lance](#); [Canellas, Bart](#)
Subject: HRS References related to Petroleum Exclusion and site ownership for Wilcox Oils Company Superfund Site
Date: Wednesday, September 10, 2014 4:01:31 PM
Attachments: [Reference 32 - Petroleum Exclusion Memorandum.pdf](#)
[Reference 33 -Memorandum- Lorraine Refinery PRP Search.pdf](#)
[Reference 36 - US vs. Western Processing.pdf](#)
[Reference 37 - Cose vs. Getty Oil.pdf](#)
[Reference 18 - Sanborn AEF Maps.pdf](#)
[Reference 28 - Aerial Maps Wilcox - Historic .pdf](#)
[1956 Aerial with Current Residences provided by ODEQ.pdf](#)

The HRS, Hazard Ranking System, package that was used to propose the Wilcox site to the NPL (and was subject to a public comment period), uses a reference that discusses the Petroleum Exclusion. This is how the reference is listed in the HRS.

“32. U.S. EPA. Memorandum. To: J. Winston Porter, EPA Assistant Administrator. From: Francis S. Blake, General Council. Subject: Scope of the CERCLA Petroleum Exclusion under Sections 101(14) and 104(a)(2). July 31, 1987. Total Pages: 11”

FYI, attached is this reference to this email.

There is also another reference used in the HRS about current ownership and PRPs Search. (Is an old document from the state, but here it is FYI.

“33. ODEQ. Memorandum. To: Lorraine PA File. From: Vanessa Peterson. Subject: Current Ownership of (Lorraine Refinery), Potentially Responsible Parties (PRPs) Search and Site Reconnaissance. September 12, 2008. Total Pages: 46 “

Another HRS reference that discusses EPA and court Petroleum Exclusion interpretation are References 36 and Reference 37 attached:

“36. U.S. District Court. U.S. vs. Western Processing Co., Inc. 761 F. Supp. 713 (1991). Available online at: http://www.leagle.com/xmlResult.aspx?xmlDoc=19911486761FSupp725_11354.xml&docbase=CSLWAR2-1986-2006 . Downloaded: August 27, 2012. Total pages: 10 ”

“37. U.S. Court of Appeals for the Ninth Circuit. Cose vs. Getty Oil, 4 F. 3d 700. April 13, 1993.Total pages: 9 “

There are also Sanborn AEF Maps showing the refineries and historic aerial maps. Reference 18 and 28.

“18. Environmental Data Resources. Certified Sanborn® Map Report for Wilcox/Lorraine Refinery. May 1, 2012. Total Pages: 6 “

“28. EPA Region 6, GIS Support. Historical Aerial Photographs Wilcox 1954, 1972, 1980, and 1995. Downloaded April 26, 2012. Total Pages: 8 “

ODEQ have several old aerial photos, one in particular is from 1956 showing the tanks and refinery and where residences are located (also attached).



9546890

Bartolome J Canellas (6SF-RL)
Remedial Project Manager
LA/NM/OK Remedial Section
EPA Region 6 - Superfund Program
Office: (214) 665-6662